

Dear FCC, These comments are sent in regards to WC Docket No. 03-259 and Comp. Pol.

File No. 667. The comments are intended to provide basis for a request that the Touch America frame network discontinuance be postponed. The grounds for the request are:

- 1) Multiple of NetLojix's customers on which the underlying carrier is Touch America have yet to be transitioned to an alternate provider.
- 2) NetLojix considers the risk of these customers being without their frame service due to the Touch America discontinuance of services as very high.
- 3) On one of the customers, NetLojix has yet to receive an FOC date from the alternate provider due to the fact the ILEC involved in provisioning the local circuit has not responded with a date to the carrier.
- 4) On another customer, who is schedule to turn up the day Touch America is scheduled to cease services, attempts to expedite with the ILEC were denied.
- 5) The situation with the ILECs local loops was never supposed to happen. The scenario originally described by Touch America and Qwest, the alternate provider, was that the existing local loops would be used by Qwest in assuming responsibilities for the Touch America frame business. In the end, and with little and very late notice by Qwest, NetLojix was informed that existing loops would not be used and that new loops would have to be ordered, provisioned and installed.
- 6) The late notice from Qwest on the local loops made it impossible for replacement services to be ordered from someone other than Qwest.
- 7) The change by Qwest on the local loops, took the transition from a relatively minor, service impacting change over, to a significant event where the transition had to be coordinated, scheduled and involved customer person at multiple sites.
- 8) To date, the terms and conditions under which Qwest will provide the circuits is unclear as depending on whom you speak to at Qwest, the story varies. Of particular concern is that with the new local loops forced on NetLojix by Qwest, will come new term commitments that will replace the expired commitments with Touch America. With the use of existing circuits, Qwest had agreed to install the new service on a month to month basis.

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